

19th.

B Class
Karnatan

File No. E v p 1054

P & D Dept. (SW B)

(R.H.B.) DEPARTMENT

B. BRANCH

Subject:— Sale of composite properties
under the Evam Interest.

P 8E (Separation) Act-1951

27

E Class
Karnatak

File No. E v p 1054 I

13 -

1954

No. 52 (80) /53-Prop.I
Government of India,
Ministry of Rehabilitation.

New Delhi, the 3rd August, '52.

From

Shri P.G. Zachariah,
Deputy Secretary to the
Government of India.

All Competent Officers. (By name).

Subject:- Sale of composite properties under the
Evacuee Interest(~~E~~separation) Act, 1951.

Sir,

In continuation of this Ministry's letter No. 52(80)/52 -Prop. I dated the 1st July, 1954, I am directed to say that it has further been decided that in the event of composite properties being put to sale in the process of separating interests, the same concessions as allowed to displaced sitting allottees should be made applicable to all displaced persons in general subject to the condition that where a displaced person is in occupation of a composite property, he may be given an option for purchase at the highest price bid.

The mode of payment by the displaced persons when composite properties are purchased by them shall be the same as laid down in this Ministry's letter of the 1st July 1954.

Yours faithfully,

(P. G. ZACHARIAH.)

DEPUTY SECRETARY TO THE
GOVERNMENT OF INDIA.

Copy to:-

1. Custodian General of Evacuee Property
New Delhi.
2. All Custodians of Evacuee Property, (except Vindhya Pradesh). The procedure for ascertaining the amount of compensation payable in each case will be communicated separately.
3. All Regional Settlement Commissioners.
4. All State Governments (except Assam, West Bengal, Manipur, Tripura, Vindhya Pradesh, and J & K.).
5. P.S. to M(R).

.....2

6. P.S. to Secretary.
7. P.S. to J.S. II
8. P.S. T J.S. III.
9. O.S. D. (S).
10. Settlement Branch.
11. Ministry of Finance (R) with reference to their
U.O. No. 3945/FR II/54 dated 30-7-54.

(PL G. ZACHARIAH)

DEPUTY SECRETARY TO THE
GOVERNMENT OF INDIA.

No. F.17 (3) SB.I/54.
Government of India
Ministry of Rehabilitation.

New Delhi, the 20th August 1954.
23rd

From

Shri L.J. Johnson, I. C. S.,
Deputy Secretary to the
Government of India.

To

All Competent Officers
(By name)

Sir,

In continuation of this Ministry's letter No. 52 (80) /53 Prop. I dated the 3rd August, 1954, I am directed to say that it has been decided that the concession granted to displaced persons with verified claims for purchase of composite properties vide this Ministry's letter No. 52 (80) / 53-Prop. dated the 1st July, 1954 should not be extended to the following types of claims:---

- (i) Claims in respect of property held in trust for a public purpose of a religious or a charitable nature.
- (ii) Claims made by or on behalf of any Company or association whether incorporated or not.
- (iii) Claims made by a mortgagee or other person holding a charge or lien on any immovable property belonging to a displaced person in West Pakistan.

I am accordingly to request that no adjustment of sale price should be made in lieu of the compensation for the price three categories of claims mentioned above.

Yours faithfully,

(L.J. Johnson)
Deputy Secretary to the
Government of India.

Copy to:-

- 1) All Custodians of Evacuee Property, (Except Assam, West Bengal, Manipur, Tripura, J. & K. and Vindhya Pradesh. No adjustment will be admissible in the case of the above type of claims in respect of price of uneconomic property.
- 2). All Regional Settlement Commissioners. They should not entertain applications for compensation and should not allow adjustment against value of properties in respect of :-

P.T.O.

- (i) Claims in respect of property held in trust for a public purpose, of a religious or charitable nature.
 - (ii) Claims made by or on behalf of any company or association whether incorporated or not.
 - (iii) Claims made by a mortgagee or other person holding a charge or lien on any immoveable property belonging to a displaced person in West Pakistan.
- 3) All State Governments (except Assam, West Bengal, Manipur, Tripura, J. & K. and Vindhya Pradesh).
 - 4) Settlement Commissioner (A), Metcalfe House for noting in connection with the sale of Government built properties in Delhi colonies.
 - 5) P.S. to M (R).
 - 6) P. S. to D. M. (R)
 - 7) P.S. to Adviser
P. S. to Secretary.
 - 8)
 - 9) P. S. to J. S.
 - 10) O.S.D.(S)
 - 11) Property Sections (I & II).
 - 12) D. S. (A).
 - 13) D. S. (H)
 - 14) Housing Sections (I & II)
 - 15) Custodian Generals.

(L. J. Johnson)
Deputy Secretary to the
Government of India:

No. 52 (50) /54 -Prop.I -
GOVERNMENT OF INDIA
MINISTRY OF REHABILITATION.

New Delhi, the 15th June '54

To

The Governments of
All Parts 'A', 'B', and 'C' States (except
Assam, West Bengal, Manipur, Tripura and
J & K).

Subject:- Evacuee Interest (Separation) Act, 1951.

Sir,

I am directed to refer to this Ministry's letter No. 52 (42)/52-Prop dated the 10th July, 1953 in which detailed instructions were issued regarding deposit and disposal of sale proceeds received by the Competent Officers from sale of the Composite properties under the Evacuee Interest (Separation) Act, 1951. Under the provisions of the aforesaid Act, besides sale proceeds the Competent officers have to receive money from non evacuees on account of redemption of mortgage or towards purchase of evacuees' share in the composite properties. A case has now come to notice, where the Accountant General has raised an objection to the deposit of amounts other than sale proceeds in the Personal Ledger Account of the Competent Officers on the ground that the instructions contained in this Ministry's letter No. 52 (42) /52 -Prop dated the 10.7.53 relate to deposit of sale proceeds only.

The question has been considered and it has been decided that the instructions issued in this Ministry's letter of 10th July, 1953 regarding deposit and disposal of sale proceeds should be applicable to the amounts received by the Competent Officers as a result of Separation of evacuee and non evacuee interests by adopting any other mode of Separation provided in the Act.

Yours faithfully,

(L.B.Mathur)
Under Secretary to the Government of India.

P.T.O.

Copy Together with 66 spare copies forwarded to the Ministry of Finance (R) with reference to their U. O. N. D. 3154 /FRII/54 dated 8.6.54 . It is requested that the copies of this letter may be endorsed to the Accountant Generals / Controllers.

Copy also to:-

1. Controller & Auditor General of India.
2. All Custodians of Evacuee Property.
3. All Competent Officers (By name).
4. Budget Branch.
5. O. S. D. (S).

Under Secretary.

X.D.
1/6.

Below copy of letter from the Government of India
No. 52(50) /54 Prop.I dated the 15/6/54.

No. E V S 1054/23235 -G

Rehabilitation Department.

21st July 1954.

Forwarded for information and guidance to:-

The Competent Officers Bombay.

The Competent Officers Surat

The Competent Officers Ahmedabad.

The Competent Officers

Copy with a copy of the Governments of India's letter
to:-

The Accountant General , Bombay.

The Finance Department.

X.D.
1/8.

No. 52(78) /54 -Prop-I
Government of India,
Ministry of Rehabilitation.

New Delhi, the 31st July, 1954.

From

Shri K.J. George,
Under Secretary to the
Government of India.

To

The Rehabilitation Secretaries to
All State Governments,
(Except Assam, Bengal, Manipur
Tripura, Jammu and Kashmir, Vindhya
Pradesh and Travancore Cochin).

Subject:- Appointment of auctioneers for disposal of
composite properties under Evacuee Interest
(Separation) Act, 1951.

Sir,

I am directed to say that the question
regarding sale of composite properties under the Evacuee
Interest(Separation)Act, 1951, was considered at the
Conference of the State Rehabilitation Ministers held at
Srinagar and it was recommended that other things being
equal, wherever possible, preference should be given to
displaced persons over non-displaced persons for appoint-
ment as auctione^ers. The recommendation has been accepted
by this Ministry. I am, accordingly, to request that the
State Governments may keep the recommendations of the Con-
ference in view while making appointment of auctioneers for the
sale of composite properties.

Yours faithfully,

(K.J.George).

Under Secretary to the
Government of India.

Copy to:-

1. All Custodians.
2. Custodians General of Evacuee Property,
New Delhi.
3. Settlement Branch.

Under Secretary.

No. 52(78) /54 -Prop-I
Government of India,
Ministry of Rehabilitation.

New Delhi, the 31st July, 1954.

From

Shri K.J. George,
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Under Secretary to the
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Under Secretary.